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**MINUTES OF THE ZONING BOARD PUBLIC**  
**HEARING AND REGULAR MEETING, HELD**  
**MONDAY, JUNE 17, 2013, 7:00 P.M.,**  
**4<sup>TH</sup> FLOOR, CAFETERIA, GOVERNMENT CENTER**  
**BUILDING, 888 WASHINGTON BLVD,**  
**STAMFORD, CONNECTICUT 06901**

Present for the Board: Thomas Mills, Bill Morris, Harry Parson and Barry Michelson. Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner

**PUBLIC HEARING**

Chairman Mills called the meeting to order at 7:15 p.m.

1. **Application 213-04 – CITY REALTY, LLC, 336 Courtland Avenue** requests approval of a special exception to expand an existing recycling use in an M-L Zone (*continued from June 10, 2013*).

Attorney Hennessey explained that he'd just been retained to represent the Applicant and he asked for a continuation to review the materials and prepare his presentation. The Chairman continued the Public Hearing on this application until July 1, 2013 at 7:00pm on the 4<sup>th</sup> floor in the Cafeteria. A letter dated June 14, 2013 requesting this continuation was submitted by Attorney Hennessey into the record.

**REGULAR MEETING**

**APPROVAL OF MINUTES:**

Minutes for Approval: May 6, 2013

Mr. Morris moved approval of the minutes of May 6, 2013 as submitted, seconded by Mr. Parson and approved, 4 to 0 (Mills, Michelson, Morris and Parson).

Minutes for Approval: May 20, 2013

Mr. Morris moved approval of the minutes of May 20, 2013 as submitted, seconded by Mr. Parson and approved, 3 to 0 (Mills, Morris and Parson; Michelson not present at the meeting to vote).

Minutes for Approval: June 3, 2013

Mr. Morris moved approval of the minutes of June 3, 2013 as submitted, seconded by Mr. Michelson and approved, 4 to 0 (Mills, Michelson, Morris and Parson).

Minutes for Approval: June 10, 2013

Mr. Mills tabled discussion of these minutes until the next meeting.

**PENDING APPLICATIONS:**

1. **CSPR-933 – KOHLBERGER, 134 Davenport Drive**, requesting approval to construct a single family dwelling in an R-20 zoned coastal flood area.

Mr. Killeen summarized the application and the EPB staff report. The board discussed the new flood heights that will take effect in July 2013.

After a brief discussion, Mr. Michelson made a motion to approve the Coastal Site Plan Review application subject to EPB conditions and to raise the equipment pad to 14.9 feet. Seconded by Mr. Parson and approved, 4 to 0 with the eligible members voting (Mills, Michelson, Parson and Morris).

2. **CSPR-935 – ADELBERG, 19 Dolphin Cove Quay**, requesting approval to install a backup generator in an R-7-1/2 zoned coastal management area.

Mr. Killeen summarized the application and the EPB staff report.

After a brief discussion, Mr. Michelson made a motion to approve the Coastal Site Plan Review application subject to EPB conditions. Seconded by Mr. Parson and approved, 4 to 0 with the eligible members voting (Mills, Michelson, Parson and Morris).

3. **CSPR-936 – HEMINGWAY CONSTRUCTION CORP, 89 Sagamore Road**, requesting approval to construct a new single family dwelling and patio in an R-10 zoned coastal management area.

Mr. Killeen summarized the application and the EPB staff report.

After a brief discussion, Mr. Michelson made a motion to approve the Coastal Site Plan Review application subject to EPB conditions and final approval by the Engineering Department noting all construction will comply with the new flood heights. Seconded by Mr. Parson and approved, 4 to 0 with the eligible members voting (Mills, Michelson, Parson and Morris).

4. **Application 213-17 – Riverturn Condominium Association, Inc. Board of Directors, Special Exception**

Mr. Killeen summarized the application.

After a brief discussion, Mr. Parson made a motion to approve Special Exception application with the addition of a condition of certifying compliance with cleaning up the conservation area. Seconded by Mr. Michelson and approved, 4 to 0 with the eligible members voting (Mills, Michelson, Parson and Morris).

## **OLD BUSINESS**

1. **APPL. 208-05 ANTARES HARBOR POINT**, General Development Plan, Condition #7, 14 Acre Working Boatyard and Full Service Marina status updates, Cease & Desist Order and requested items.

Mr. Mills asked William Buckley to bring the Board Members up to date on activities at the Boatyard. Mr. Buckley summarized the progress of the soil remediation and sheet-piling work. Attorney John Freeman described the activity at the temporary boatyard. He said the license agreement negotiations are still ongoing.

Lisa Cuscuna, Loft Artists Association, described the concept of leasing 7,000 s.f. at 575 Pacific Street for 10 years. The lease is at \$12 per square foot compared to \$20 per square foot for a market rate. She submitted materials to the Zoning Board.

Mr. Mills asked how this agreement would be enforced and whether it should be the responsibility of Harbor Point that has a 10,000 s.f. cultural requirement to meet.

Attorney John Freeman said they want 5,000 s.f. applied to the Yale & Towne application requirement and the 2,000 s.f. balance applied to the Harbor Point cultural requirement.

Mr. Mills asked that the South End Neighborhood Revitalization Zone association comment in writing on this proposal. Staff needs to contact the Office of Legal Affairs to work out how this concept can be implemented and enforced. Would the applications for both Yale & Towne and Harbor Point need to be amended and would that fall under the General Development Plan? Would a Public Hearing need to be held?

Mr. Michelson made a motion to approve the leased space to the Loft Artist Association as a cultural institution fulfillment. Seconded by Mr. Morris and approved, 4 to 0 with the eligible members voting (Mills, Michelson, Parson and Morris).

Glen Gazin, Attorney representing Mark Diamond, former Member of the Loft Artist Association, suggested that the regulation regarding the cultural uses be clarified and offered his assistance.

Mr. Mills took a brief recess at 9:30pm and resume the meeting at 9:45pm.

### **NEW BUSINESS**

Mr. Killeen summarized his research on posting signs to announce a Public Hearing. Staff was directed to research further and make a final proposal to the Zoning Board.

### **ADJOURNMENT**

There being no further business, Mr. Mills adjourned the meeting at 10:05pm.

Respectfully submitted,

Barry Michelson, Secretary  
Stamford Zoning Board

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